

FILED

UNITED STATES COURT OF APPEALS

JUN 23 2006

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RICARDO BRIONES,

Defendant - Appellant.

No. 03-16299

D.C. Nos. CV-99-02095-RCB-02
CR-96-00464-RCB-02

District of Arizona,
Phoenix

ORDER

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

The memorandum disposition filed on March 17, 2006, is vacated, and this case is withdrawn from submission to this panel.

Counsel will be appointed in a separate order.

Because we have vacated the memorandum disposition filed on March 17, 2006, and withdrawn this case from submission to this panel, appellant's petition for panel rehearing and petition for rehearing en banc are denied as moot.

Because the mandate has not yet issued in this case, appellant's motion to recall the mandate is also denied as moot.